

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: GENERIC PHARMACEUTICALS
PRICING ANTITRUST LITIGATION**

**MDL 2724
16-MD-2724**

THIS DOCUMENT RELATES TO:

HON. CYNTHIA M. RUFÉ

Cigna Corp. v. Actavis Holdco U.S., Inc. et al.

Civil Action No. 20-2711

ORDER

AND NOW, this 21st day of August 2020, upon consideration of the attached Joint Stipulation to Waive Service and Extend the Deadline for Defendants to Respond to Plaintiff Cigna Corp.'s June 9, 2020 Complaint, it is hereby **ORDERED** that the Stipulation is **APPROVED**.

IT IS SO ORDERED.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: GENERIC PHARMACEUTICALS
PRICING ANTITRUST LITIGATION

**MDL 2724
16-MD-2724**

THIS DOCUMENT RELATES TO:

Cigna Corp., v. Actavis Holdco U.S., Inc., et al.

HON. CYNTHIA M. RUFÉ

**Individual Case No. 2:20-cv-02711-
CMR**

**JOINT STIPULATION TO WAIVE SERVICE AND EXTEND THE
DEADLINE FOR DEFENDANTS TO RESPOND TO PLAINTIFF
CIGNA CORP.'S JUNE 9, 2020 COMPLAINT**

WHEREAS, Plaintiff Cigna Corp. (“Cigna”) filed a complaint in the above-captioned matter on June 9, 2020 (“Cigna’s June 9, 2020 Complaint”), which has been centralized for pretrial proceedings as part of *In re Generic Pharmaceuticals Pricing Antitrust Litigation*, Case No. 16-md-02724-CMR, MDL No. 2724 (the “MDL”);

WHEREAS, Cigna’s June 9, 2020 Complaint is based on substantially similar facts and allegations as those raised against certain Defendants in the complaint filed by Plaintiff States on May 10, 2019 in *State of Connecticut et al. v. Teva Pharmaceuticals USA, Inc.* (the “Plaintiff States’ May 10, 2019 Complaint”), Case No. 19-cv-2407-CMR, which has also been centralized for pretrial proceedings as part of MDL 2724;

WHEREAS, in an Order dated July 25, 2019, the Court adjourned responsive pleadings and/or motions to the Plaintiff States’ May 10, 2019 Complaint until such time as the Court enters an order setting a schedule for responses to that complaint (*see* MDL Doc. No. 1058, approving stipulation);

WHEREAS, the parties agree that responses to the pleadings in this action should be accomplished efficiently and in consideration of the Court's existing scheduling orders in the MDL;

WHEREAS, Defendants Actavis Holdco U.S., Inc., Actavis Elizabeth, LLC, Actavis Pharma, Inc., Alvogen, Inc., Amneal Pharmaceuticals, Inc., Apotex Corp., Ascend Laboratories, LLC, Aurobindo Pharma USA, Inc., Bausch Health Americas, Inc., Bausch Health US, LLC, Breckenridge Pharmaceutical, Inc., Camber Pharmaceuticals, Inc., Citron Pharma, LLC, Dr. Reddy's Laboratories Inc., Fougera Pharmaceuticals Inc., Generics Bidco I, LLC, Glenmark Pharmaceuticals Inc., USA, G&W Laboratories, Inc., Heritage Pharmaceuticals Inc., Hikma Pharmaceuticals USA Inc. F/K/A West-Ward Pharmaceuticals Corp., Impax Pharmaceuticals, LLC F/K/A Impax Pharmaceuticals, Inc., Lannett Company, Inc., Lupin Pharmaceuticals, Inc., Mayne Pharma, Inc., Morton Grove Pharmaceuticals, Inc., Mylan, Inc., Mylan, N.V., Mylan Pharmaceuticals, Inc., Oceanside Pharmaceuticals, Inc., Par Pharmaceutical Companies, Inc., Par Pharmaceutical, Inc., Perrigo New York, Inc., Sandoz, Inc., Sun Pharmaceutical Industries, Inc., Taro Pharmaceuticals USA, Inc., Teligent, Inc., Teva Pharmaceuticals USA, Inc., Upsher-Smith Laboratories, LLC, Wockhardt USA LLC, and Zydus Pharmaceuticals (USA) Inc. (collectively "Waiving Defendants") have agreed to waive service of Cigna's June 9, 2020 complaint and the parties have reached an agreement to extend the time within which the Waiving Defendants must move against, answer, or otherwise respond to Cigna's June 9, 2020 Complaint;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the undersigned counsel, on behalf of their respective clients, as follows:

1. The Waiving Defendants waive service of Cigna's June 9, 2020 Complaint and Summonses pursuant to Federal Rule of Civil Procedure 4(d), and this stipulation shall be deemed proof of that waiver pursuant to Federal Rule of Civil Procedure 4(d)(4).

2. The deadline for the Waiving Defendants to move against, answer, or otherwise respond to Cigna's June 9, 2020 Complaint is ADJOURNED until such time as the Court orders for the filing of response(s) to complaints that were filed on or after May 10, 2019.

3. This stipulation does not constitute a waiver by the Waiving Defendants of any defense, including but not limited to those defenses provided under Federal Rule of Civil Procedure 12.

IT IS SO STIPULATED.

Dated: July 20, 2020

PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP

By: /s/ Charles F. Rule

Charles F. Rule
Daniel J. Howley
Paul E. Chaffin
Benjamin Z. Bergmann
2001 K Street, NW
Washington, DC 20006
Tel: (202) 223-7320
Fax.: (202) 204-7350
rrule@paulweiss.com
dhowley@paulweiss.com
pchaffin@paulweiss.com
bbergmann@paulweiss.com

MACELREE HARVEY, LTD.

Robert A. Burke, PA ID # 61268
Jeffrey P. Burke, PA ID # 209684
17 Miner Street
West Chester, PA 19382
Tel.: (610) 840-0211
Fax.: (610) 430-7885
rburke@macelree.com

TROUTMAN PEPPER HAMILTON SANDERS LLP

/s/ Jan P. Levine
Jan P. Levine
3000 Two Logan Square
Eighteenth & Arch Streets
Philadelphia, PA 19103-2799
Tel: (215) 981-4000
Fax: (215) 981-4750
jan.levine@troutman.com

KASOWITZ BENSON TORRES LLP

/s/ Sheron Korpus
Sheron Korpus
1633 Broadway
New York, New York 10019
Tel: (212) 506-1700
Fax: (212) 506-1800
skorpus@kasowitz.com

KIRKLAND & ELLIS LLP

/s/ Devora W. Allon
Devora W. Allon, P.C.
601 Lexington Avenue
New York, New York 10022

jburke@macelree.com

Counsel for Cigna Corp.

(212) 909-3344

devora.allon@kirkland.com

alexia.brancato@kirkland.com

WILLIAMS & CONNOLLY LLP

/s/ Sarah F. Kirkpatrick

Sarah F. Kirkpatrick

725 Twelfth Street, N.W.

Washington, D.C. 20005

Phone: (202) 434-5000

Fax: (202) 434-5029

skirkpatrick@wc.com

**WILSON SONSINI GOODRICH &
ROSATI**

/s/ Chul Pak

Chul Pak

Professional Corporation

1301 Avenue of the Americas, 40th Fl.

New York, NY 10019

Tel: (212) 999-5800

Fax: (212) 999-5899

cpak@wsgr.com

Defendants' Liaison Counsel

APPROVED BY THE COURT:

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

The Honorable Cynthia M. Rufe

